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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ravi K. Kavuri et al.

Serial No.: 10/033,503

Group Art Unit: Unknown

Filed: December 27, 2001

Examiner: Unknown

For: Virtual Volume Management System And Method

Attorney Docket No.: 2001-028-NSC (STK 01028 PUS)

**PETITION UNDER 37 C.F.R. § 1.47(a)
FILING WHEN A JOINT INVENTOR
REFUSES TO SIGN**

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

Pursuant to 37 C.F.R. § 1.47(a), all of the available joint inventors, Ravi K. Kavuri, John Chelikowsky, and Renae M. Weber, hereby petition to make the above-identified application for patent on behalf of themselves and Timothy J. Kuik, a joint inventor who refuses to join in this application.

Pursuant to M.P.E.P. § 409.03(a), all of the available joint inventors, Mr. Kavuri, Mr. Chelikowsky, and Ms. Weber, have made a declaration on their behalf and on behalf of the non-signing joint inventor, Mr. Kuik. In that regard, declarations signed by all of the available joint inventors, Mr. Kavuri, Mr. Chelikowsky, and Ms. Weber, with the signature block of the non-signing joint inventor, Mr. Kuik, left blank, accompany this petition. Also pursuant to M.P.E.P. § 409.03(a), the available joint inventors respectfully request that such declarations be treated as having been signed by all of the available joint inventors on behalf of the non-signing joint inventor.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

May 28, 2001
Date of Deposit

Jeffrey M. Szuma
Name of Person Signing

Jeffrey M. Szuma
Signature

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Pursuant to M.P.E.P. § 409.03(d), proof of the pertinent facts that the non-signing joint inventor Mr. Kuik refuses to join in this application is set forth in the accompanying Declaration of Jeffrey M. Szuma, an attorney of record for this application.

Pursuant to M.P.E.P. § 409.03(a), the last known address of the non-signing joint inventor Mr. Kuik is set forth below. Mr. Kuik may also be reached through his attorney, Joseph W. Hammell, whose address is also set forth below.

Mr. Timothy J. Kuik
743 Country Lakes Drive
Lino Lakes, MN 55014

Mr. Joseph W. Hammell
Dorsey & Whitney LLP
Pillsbury Center South
220 South Sixth Street
Minneapolis, MN 55402-1498

A check in the amount of \$130 is enclosed to cover the fee for this petition. Please charge any additional fees or credit any overpayment associated with this petition to Deposit Account No. 21-0456. A duplicate of this petition is enclosed for that purpose.

This petition is being filed as part of a response to a Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted, which was mailed on January 29, 2002, and a *bona fide* attempt has been made to comply with the provisions of 37 C.F.R. § 1.47(a). Favorable consideration of this petition is respectfully requested.

Respectfully submitted,

Ravi K. Kavuri, et al.

By: Jeffrey M. Szuma
Jeffrey M. Szuma
Reg. No. 35,700
Attorney for Applicant

Date: May 28, 2002

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